

9-30-2003



Sheet 1 of 1

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  LIST OF DOCUMENTS CITED BY APPLICANT TO COMPLY WITH 37 C.F.R. 1.56	ATTY. DOCKET NO. <b>DT-0104</b>	SERIAL NO. <b>09/849,448</b>
	APPLICANT <b>DELURGIO</b>	
	FILING DATE <b>5/4/01</b>	GROUP <b>BYLCIW</b> <b>3622 3623</b>

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL*	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL*	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Not Found	CA	3	"PCT International Search Report", Application Number PCT/US02/14977, mailed May 5, 2003.
SB	CB		DYER, ROBERT F. et al., "Case Studies in Marketing Decisions Using Expert Choice," Decision Support Software, 1988, Pages 2-7, 73-108.

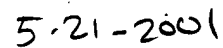
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GROUP 3600

EXAMINER *Stephen Dyl*DATE CONSIDERED  
5-10-2005

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PTO/SB/08A (08-00)

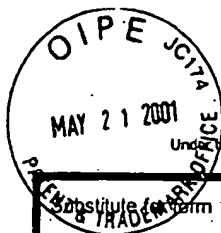
Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Examiner Signature	<i>Stephen Bytner</i>	Date Considered	5-20-2005
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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	09849448
				Filing Date	5/4/01
				First Named Inventor	PHIL DELURGIO
				Group Art Unit	3623
				Examiner Name	BYLW
Sheet	2	of	2	Attorney Docket Number	DT:0104

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
SB	BA	ROSSI, DELURGIO, & KANTOR; "MAKING SENSE OF SCANNER DATA," <i>HARVARD BUSINESS REVIEW</i> , REPRINT F00205	
SB	BB	BUCKLIN & GUPTA, "BRAND CHOICE, PURCHASE INCIDENCE, AND SEGMENTATION: AN INTEGRATED MODELING APPROACH," <i>JOURNAL OF MARKETING RESEARCH</i> , MAY 1992, PP. 201-215, VOL. XXIX	
SB	BC	SMITH, MATHUR, & KOHN; "BAYESIAN SEMIPARAMETRIC REGRESSION: AN EXPOSITION AND APPLICATION TO PRINT ADVERTISING," JANUARY 3, 1997; AUSTRALIAN GRADUATE SCHOOL OF MANAGEMENT, UNIVERSITY OF NEW SOUTH WALES, SYDNEY 2052, AUSTRALIA	
SB	BD	BLATTBERG AND DEIGHTON, "MANAGE MARKETING BY THE CUSTOMER EQUITY," <i>HARVARD BUSINESS REVIEW</i> , JULY-AUGUST 1996, PP. 136-144	
SB	BE	CHRISTEN, GUPTA, PORTER, STAEIN, & WITTINK; "USING MARKET-LEVEL DATA TO UNDERSTAND THE EFFECTIVENESS OF PROMOTIONAL ACTIVITIES," DECEMBER 22, 1995	
SB	BF	LINK, "ARE AGGREGATE SCANNER DATA MODELS BIASED?," <i>JOURNAL OF ADVERTISING RESEARCH</i> , SEPTEMBER/OCTOBER 1995, PP. RC8-RC12, ARF	
SB	BG	RUSSELL & KAMAKURA, "UNDERSTANDING BRAND COMPETITION USING MICRO AND MACRO SCANNER DATA," <i>JOURNAL OF MARKETING RESEARCH</i> , VOL. XXXI (MAY 1994), PP. 289-303	
SB	BH	JONES, "THE DOUBLE JEOPARDY OF SALES PROMOTIONS," <i>HARVARD BUSINESS REVIEW</i> , SEPTEMBER-OCTOBER 1999, PP. 145-152	
SB	BI	BUZZELL, QUELCH, & SALMON; "THE COSTLY BARGAIN OF TRADE PROMOTION," <i>HARVARD BUSINESS REVIEW</i> , REPRINT 90201, MARCH-APRIL 1990, PP. 1-9	
SB	BJ	CURRY, DIVAKAR, MATHUR, & WHITEMAN; "BVAR AS A CATEGORY MANAGEMENT TOOL: AN ILLUSTRATION AND COMPARISON WITH ALTERNATIVE TECHNIQUES," <i>JOURNAL OF FORECASTING</i> , VOL. 14, ISS NO. 3 (1995), PP. 181-199	
SB	BK	GURAL, "PRICE OPTIMIZATION SYSTEM," LETTER TO KANG LIM, ESQ., DTD 2/9/01, PATENTEC, REFERENCE NUMBER 7220	

Examiner Signature	<i>Stephen Bylun</i>	Date Considered	5-20-2005
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<sup>1</sup>Unique citation designation number. <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

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<b>Form 1449 (Modified)</b>		<b>Atty Docket No.</b>	<b>Application No.:</b>
<b>Information Disclosure Statement By Applicant</b>		<b>DT: 0104</b>	<b>09/849,448</b>
<b>(Use Several Sheets if Necessary)</b>		<b>Applicant:</b>	<b>BYLCIW</b>
		<b>DELURGIO et al.</b>	<b>Group 3623</b>
		<b>Filing Date</b>	<b>UNASSIGNED</b>
		<b>05/04/01</b>	

**U.S. Patent Documents**

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	A						
	B						
	C						
	D						
	E						
	F						
	G						
	H						
	I						

**Foreign Patent or Published Foreign Patent Application**

Examiner Initial	No.	Document No.	Publication Date	Country or Patent Office	Class	Sub-class	Translation	
							Yes	No
	J							
	K							
	L							
	M							
	N							

**Other Documents**

Examiner Initial	No.	Author, Title, Date, Place (e.g. Journal) of Publication
SB	O	Stephen J. Hoch et al., "Store Brands and Category Management", The Wharton School, University of Pennsylvania, March 1998, pp. 1-38
SB	P	Bruce G.S. Hardie et al., "Attribute-based Market Share Models: Methodological Development and Managerial Applications", The Wharton School, University of Pennsylvania, Working Paper 98-009, pp. 1-48
SB	Q	Alan Mercer, "Non-linear Price Effects", Journal of the Market Research Society, dated 7/1/96, p. 227
SB	R	Rockney G. Walters, "Assessing the Impact of Retail Price Promotions on Product Substitution, Complementary Purchase, and Interstore Sales Displacement", Journal of Marketing, Vol. 55, April 1991, pp. 17-28
SB	S	Robert C. Blattberg et al., "How Promotions Work", Marketing Science, Vol. 14, No. 3, Part 2 of 2, 1995, pp. G122-G132
SB	T	Peter M. Guadagni et al., "A Logit Model of Brand Choice Calibrated on Scanner Data", Marketing Science, Vol. 2, No. 3, Summer 1983, pp. 203-238
SB	U	Lee G. Cooper et al., "Standardizing Variables in Multiplicative Choice Models", Journal of Consumer Research, Vol. 10, June 1983, pp. 96-108



SB	V	Eileen Bridges et al., "A High-Tech Product Market Share Model with Customer Expectations", Marketing Science, Vol. 14, No. 1, Winter 1995, pp. 61-81
SB	W	Richard R. Batsell, et al., "A New Class of Market Share Models", Marketing Science, Vol. 4, No. 3, Summer 1985, pp. 177-198
SB	X	Jagmohan S. Raju, "The Effect of Price Promotions on Variability in Product Category Sales", Marketing Science, Vol. 11, No. 3, Summer 1992, pp. 207-220
SB	Y	Robert J. Dolan, "How Do You Know When the Price Is Right?", Harvard Business Review, September-October 1995, pp. 5-11
SB	Z	Fusun Gonul, "Modeling Multiple Sources of Heterogeneity in Multinomial Logit Models: Methodological and Managerial Issues", Marketing Science, Vol. 12, No. 3, Summer 1993, pp. 213-229
SB	AA	Robert M. Schindler et al., "Increased Consumer Sales Response through Use of 99-Ending Prices", Journal of Retailing, 6/1/96, p. 187
SB	BB	Francis J. Mulhern et al., "The Relationship between Retail Price Promotions and Regular Price Purchases", Journal of Marketing, Vol. 59, October 1995, pp. 83-90
SB	CC	John Deighton et al., "The Effects of Advertising on Brand Switching and Repeat Purchasing", Journal of Marketing Research, Vol. XXXI, February 1994, pp. 28-43
SB	DD	Sunil Gupta, "Reflections on 'Impact of Sales Promotions on When, What, and How Much to Buy'", Journal of Marketing Research, Vol. XXX, November 1993, pp. 522-24
SB	EE	Richard A. Briesch, "Does It Matter How Price Promotions Are Operationalized?", Marketing Letters 8:2 (1997), pp. 167-181
SB	FF	Byung-Do Kim et al., "Modeling the Distribution of Price Sensitivity and Implications for Optimal Retail Pricing", Journal of Business & Economic Statistics, July 1995, Vol. 13, No. 3
SB	GG	William R. Dillon et al., "A Segment-level Model of Category Volume and Brand Choice", Marketing Science, Vol. 15, No. 1, 1996, pp. 38-59
SB	HH	Stephen J. Hoch et al., "Determinants of Store-Level Price Elasticity", Journal of Marketing Research, Vol. XXXII (February 1995), pp. 17-29
SB	II	Magid M. Abraham et al., "An Implemented System for Improving Promotion Productivity Using Store Scanner Data", Marketing Science, Vol. 12, No. 3, Summer 1993
SB	JJ	Peter S. Fader et al., "Modeling Consumer Choice among SKUs", Journal of Marketing Research, Vol. XXXIII (November 1996), pp. 442-452
Examiner <i>Shihun Rylem</i>		Date Considered 5-20-2005

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



9-7-2001

Sheet 1 of 1

LIST OF DOCUMENTS CITED BY APPLICANT TO COMPLY WITH 37 C.F.R. 1.56				U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. DT0104		SERIAL NO. 09/849,448	
				APPLICANT Delurgio et al.					
				FILING DATE 05/04/01		GROUP 3623 BILCIW Unassigned			
U.S. PATENT DOCUMENTS									
EXAMINER INITIAL*		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE		
SB	AA	6,205,431	03/20/01	Willemain et al.	705	10			
SB	AB	5,459,656	10/17/95	Fields et al.	364	401			
SB	AC	5,299,115	03/29/94	Fields et al.	364	401			
SB	AD	5,799,286	08/25/98	Morgan et al.	705	30			
SB	AE	5,732,401	03/24/98	Conway	705	29			
FOREIGN PATENT DOCUMENTS									
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION		
							YES	NO	
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)									
SB	AI		"Report of Novelty Search" by Patentec, dated July 25, 2001						
EXAMINER				DATE CONSIDERED					
Stephen Bylun				5-20-2005					
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.									



5-31-2002

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	09/849448
				Filing Date	5/4/2001
				First Named Inventor	Phil Delurgio
				Group Art Unit	3623
				Examiner Name	BYLCW
Sheet	1	of	1	Attorney Docket Number	DT.0104

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U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup>			
SB	AA	6,308,162		Quimet et al	10/23/2001	

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number <sup>4</sup>	Kind Code <sup>5</sup>			
SB	BA	WO 98/53415		Quimet et al	11/26/1998	

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS			
Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
SB	CA	Montgomery: "The Impact of Micro-Marketing on Pricing Strategies", 1994 The University of Chicago, volume 55/12-A of Dissertation Abstracts International, page 3922 (ABSTRACT ONLY).	
SB	CB	Busch: "Cost modeling as a technical management tool", Reasearch-Technology Management, Nov/Dec 1994, vol. 37, no. 6, pages 50-56.	
SB	CC	"Pacifcorp IRP: Renewables Costs Must Drop 65% to be Competitive with Gas"	
Examiner Signature		<i>Stephen Bylkin</i>	Date Considered
			5-20-2005

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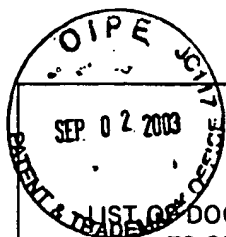
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9-2-2003

Sheet 1 of 1

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.  
DT-0104SERIAL NO.  
09/849,448LIST OF DOCUMENTS CITED BY APPLICANT  
TO COMPLY WITH 37 C.F.R. 1.56

APPLICANT

DELURGIO

FILING DATE  
05/04/01GROUP  
BYLCiw  
3622 3623

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL*		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	6,025,686	05/18/2000	Fernandez et al.		(NOT FOUND)	
SB	AB	6,173,345	01/09/2001	William A. Stevens			

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
SB	BA	WO 98/53415	11/26/1998	Ouimet et al.				

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## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

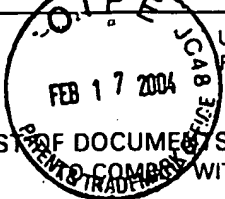
SB	CA		"PCT International Search Report", Application Number PCT/US02/36710, mailed July 21, 2003.					
SB	CB		YOEMAN, JOHN CORNELIUS JR., "The Optimal Offering Price for Underwritten Securities", 1993, Volume 55/01-A of Dissertation Abstracts International, Page 4743 (Abstract Only).					

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Stephen Bylert

DATE CONSIDERED 5-20-2005

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 <p>U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE</p> <p>LIST OF DOCUMENTS CITED BY APPLICANT WITH 37 C.F.R. 1.56</p>	ATTY. DOCKET NO. DT-0104	SERIAL NO. 09/849,448
	APPLICANT DELURGIO	
	FILING DATE 05/04/2001	GROUP BYLCW 3622 3623

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL*		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
SB	AA	6,456,986	09/24/2002	Boardman et al.			
SB	AB	6,397,193	05/28/2002	Walker et al.			
SB	AC	6,341,268	01/22/2002	Walker et al.			
SB	AD	6,134,534	10/17/2000	Walker et al.			
SB	AE	6,052,686	04/18/2000	Fernandez et al.			
SB	AF	5,933,813	08/03/1999	Teicher et al.			
SB	AG	5,790,643	08/04/1998	Gordon et al.			
SB	AH	5,765,143	06/09/1998	Sheldon et al.			

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**GROUP 3600**

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

SB	CA		"PCT International Search Report", Application Number PCT/US03/30488, mailed January 28, 2004.					
SB	CB		Bruce G.S. Hardie et al., "Attribute-based Market Share Models: Methodological Development and Managerial Applications", University of Pennsylvania, Working Paper 98-009, pp. 1-48, 1998.					
SB	CC		Rossi, Delorgio, & Kantor; "Making Sense of Scanner Data," Harvard Business Review, Reprint F00205, 2000.					
SB	CD		"Pacifcorp IRP: Renewables Costs Must Drop 65% to be Competitive with Gas," dated December 8, 1995.					
SB	CE		Robert J. Dolan, "How Do You Know When the Price is Right?", Harvard Business Review, September-October 1995, P. 4-11					

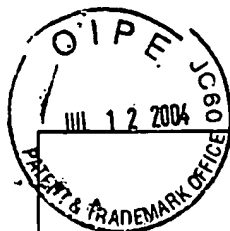
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GROUP *BYLW*  
*3622 3623*

U.S. PATENT DOCUMENTS

EXAMINER INITIAL*		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
<i>SB</i>	AA	6,725,208	04/20/2004	Hartman et al.			
<i>SB</i>	AB	6,341,269	01/22/2002	Dulaney et al.			
<i>SB</i>	AC	5,377,095	12/27/1994	Maeda et al.			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

<i>SB</i>	BA	Alan L. Montgomery and Peter R. Rossi, "Estimating Price Elasticities with Theory-Based Priors," Journal of Marketing Research Vol. XXXVI, November 1999 (pp 413-423).
<i>SB</i>	BB	Boatwright, Peter et al., "Account-Level Modeling for Trade Promotion: An Application of a Constrained Parameter Hierarchical Model," Journal of the American Statistical Association, Vol. 94, No. 448, December 1999 (pp 1063-1073).
<i>SB</i>	BC	Alan L. Montgomery, "Creating Micro-Marketing Pricing Strategies Using Supermarket Scanner Data," Marketing Science, Vol. 16, No. 4, 1997 (pp 315-337).
<i>SB</i>	BD	Robert C. Blattberg and Edward I. George, "Shrinkage Estimation of Price and Promotional Elasticities: Seemingly Unrelated Equations," Journal of the American Statistical Association, Vol. 86, No. 414, June 1991 (pp 304-315)
<i>SB</i>	BE	Arnold Zellner, "On Assessing Prior Distribution sand Bayesian Regression Analysis With G-Prior Distributions," Elsevier Science Publishers, 1986 (pp 233-243)
<i>SB</i>	BF	A.F.M. Smith, "A General Bayesian Linear Model," University of Oxford, April 1972.
<i>SB</i>	BG	D.V. Lindley and A.F.M. Smith, "Bayes Estimates for the Linear Model," University College, December 1971.
<i>SB</i>	BH	George C. Tiao and Arnold Zellner, "On the Bayesian Estimation of Multivariate Regression," University of Wisconsin, January 1964.
<i>SB</i>	BI	Arnold Zellner, "An Efficient Method of Estimating Seemingly Unrelated Regressions and Tests for Aggregation Bias," University of Wisconsin, June 1962.

EXAMINER

*Stephen Bylinski*

DATE CONSIDERED

*5-20-2005*

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U.S. DEPARTMENT OF  
PATENT AND TRADEMARK OFFICE

**LIST OF DOCUMENTS CITED BY APPLICANT  
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SERIAL NO.  
09/849,448

# DELURGIO

GROUP BYLCW  
3622 3623

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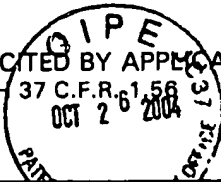
Stephen Bytown

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10/26/2004

Sheet 1 of 1

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	APPLICANT <b>DELURGIO</b>	
	FILING DATE <b>05/04/2001</b>	GROUP <b>BILCIW 3622 3623</b>

## U.S. PATENT DOCUMENTS

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	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

SB	AA	"Merriam Webster's Collegiate Dictionary", 10 <sup>th</sup> edition, pg 585, Merriam-Webster Incorporated, 1999.
SB	AB	Hernandez, Mauricio A., and Salvatore J. Stolfo, "Real-world Data is Dirty: Data Cleansing and the Merge/Purge Problem", Data Mining and Knowledge Discovery, Vol. 2, Issue 1, January 1998.

EXAMINER <i>Stephen Pytkin</i>	DATE CONSIDERED <b>5-20-2005</b>
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	APPLICANT DELURGIO	
	FILING DATE 05/04/2001	GROUP BYLW 3622 3623

U.S. PATENT DOCUMENTS

EXAMINER INITIAL*		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
SB	AA	6,697,824	02/24/04	Bowman-Amuah			
SB	AB	6,202,070	03/13/01	Nguyen et al.			
SB	AC	5,694,551	12/02/97	Doyle et al.			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

SB	BA	Scherage, Dan, "You Do the Math," Chain Store Age, v76, n7, July 2000.
	BB	<del>"Gymboree Enhances Price Management," Retail Systems Alert, Volume 13, Number 6, June 2000.</del> (DID NOT FIND)
SB	BC	Binkley, James K.; Connor, John M., "Grocery Market Pricing and the New Competitive Environment." Journal of Retailing, v74, n2, Summer 1998.

EXAMINER 	DATE CONSIDERED 6-13-2005
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.